

ITEM NO.47

COURT NO.5

SECTION XIV

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No.14585/2015

(Arising out of impugned final judgment and order dated 09/03/2015 in EP No. 337/2014,09/03/2015 in EA No. 697/2014,09/03/2015 in EA No. 200/2015,09/03/2015 in EA No. 199/2015,09/03/2015 in EA No. 698/2014 passed by the High Court of Delhi at New Delhi)

STATE TRADING CORPORATION OF INDIA LTD.

Petitioner(s)

VERSUS

M/S GLOBAL STEEL HOLDING LIMITED AND ORS.

Respondent(s)

(With appln. (s) for exemption from filing c/c of the impugned judgment and interim relief)

Date : 15/05/2015 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DIPAK MISRA

HON'BLE MR. JUSTICE PRAFULLA C. PANT

For Petitioner(s) Mr. Mukul Rohatgi, A.G.
Mr. P.S. Patwalias, ASG
Mr. R.K. Anand, Adv.
Mr. D. Ray Choudhuri, Sr. Adv.
Mr. Uday Gupta, Adv.
Ms. Shivani M. Lal, Adv.
Mr. Hiren Dasan, Adv.
Mr. M.K. Tripathi, Adv.
Mr. Mohan Pandey, AOR

For Respondent(s) Dr. Abhishek Manu Singhvi, Sr. Adv.
Mr. Amit Sibal, Sr. Adv.
Mr. Rajiv Nair, Sr. Adv.
Mr. Rajneesh Chopra, Adv.
Mr. Gautam Mitra, Adv.
Mr. Gaurav Mitra, Adv.
Mr. Pankaj Baghala, Adv.
Mr. Liz Mathew, Adv.
Ms. Riha Mitra, Adv.
Ms. Deepali Dwivedi, Adv.

UPON hearing the counsel the Court made the following
O R D E R

Issue notice.

As all the respondents have been represented by Mr. Amit Sibal, learned senior counsel, no further notice be issued.

Counter affidavit be filed within three weeks hence. Rejoinder affidavit, if any be filed within two weeks therefrom.

Let the matter be listed on 13th July, 2015.

On that day, be it clarified, the matter shall not be heard on merits. We say so, as in course of hearing, Mr. Mukul Rohatgi, learned Attorney General for India appearing for the petitioner, made an oral prayer that there should be a direction for personal appearance of Mr. Pramod Mittal s/o Mr. Mohanlal Mittal, the respondent No.3 herein. He has brought to our notice certain commitments made by Mr. Mittal to pay back the money. We will deal with the oral prayer, whether in such a case there can be a direction for personal appearance of the said respondent as he had given a commitment to the petitioner time and again to pay the money covered under the award along with the interest.

Be it noted, the decree is final. Keeping that in view, we shall address the issue first whether this Court can direct the personal presence of the respondent No.3 or not. Reply to this oral prayer be filed within two weeks hence. It is hereby clarified that the counter affidavit to the main special leave petition shall be different than the reply to be filed to the oral prayer. We further hasten to clarify

that the issue of territorial jurisdiction is the subject matter of the special leave petition and the prayer for personal appearance is the fulcrum of the submission of the commitment made from time to time by the respondent No.3.

Call on the date fixed.

(Chetan Kumar)
Court Master

(H.S. Parasher)
Court Master